



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/528,018

05/12/2005

Markus Warsta

59643.00588

9317

32294

7590

10/16/2008

SQUIRE, SANDERS & DEMPSEY L.L.P.
8000 TOWERS CRESCENT DRIVE
14TH FLOOR
VIENNA, VA 22182-6212

EXAMINER

DANIEL JR, WILLIE J

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

10/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/528,018	Applicant(s) WARSTA ET AL.	
	Examiner WILLIE J. DANIEL JR	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-13, 15 and 17-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-13, 15 and 17-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to application filed 27 June 2008. **Claims 1-8, 10-13, 15, and 17-41** are now pending in the present application and **claims 9, 14, and 16** are canceled. This office action is made **Final**.

Drawings

2. The objections applied to the drawings are withdrawn, as the proposed drawing corrections are approved.

Specification

3. The objections applied to the disclosure is withdrawn, as the proposed disclosure corrections are approved.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 10-13, 15, 19-25, 28-29, 32-36, and 39-41 are rejected under 35 U.S.C. 102(e) as being anticipated by **Boivin (US 2003/0092436 A1)**.

Regarding **claims 1, 19-22, and 32**, Boivin discloses a method (see Fig. 2), the method comprising:

receiving at a routing register a message associated with an inactive subscriber and including data relating to the identity of said subscriber of a communications network (see pg. 3, [0026]; Figs. 2-3), where the system is informed of a previously used telephone number;

based on the identity of said subscriber and on routing information stored at a register, selectively routing said message from said routing register to an inactive subscriber register for storing subscriber data for inactive subscribers (see pg. 2, [0018-0020]; pg. 3, [0025-0026]; Figs. 2-3), where the call is communicated via the MSC (208) to the PSP (202),

updating said routing information associated with the subscriber at the routing register to route subsequent signaling associated with the subscriber to an active subscriber register (see pg. 3, [0028, 0030]; pg. 2, [0018-0020]; Fig. 3 'ref. 312'), where the system updates the routing information for incoming and outgoing communication,

which after the receipt of said message at the inactive subscriber register is provisioned with subscriber data required by the active subscriber register to service said subscriber (see pg. 3, [0028, 0030]; pg. 2, [0019-0020]; Fig. 3 'ref. 312'), where the system determines that the number is inactive and activates the telephone number.

Regarding **claims 2 and 24**, Boivin discloses the method as claimed in claim 1 further comprising:

storing a plurality of subscriber identities at the inactive subscriber register (see pg. 2, [0017-0018, 0020]); and

provisioning the active subscriber register with subscriber data if the data relating to the identity of the subscriber in the message corresponds to one of said plurality of subscriber identities (see pg. 3, [0030]; pg. 2, [0019-0020]), where the system updates the routing information for incoming and outgoing communication.

Regarding **claim 3**, Boivin discloses the method as claimed in claim 1, wherein the message is received from a mobile station of said inactive subscriber (see pg. 3, [0026]), where the system is informed of a previously used telephone number (see pg. 2, [0021, 0023]; Fig. 3).

Regarding **claims 4 and 25**, Boivin discloses the method as claimed in claim 3, wherein the message comprises international mobile subscriber identity (see pg. 2, [0017-0018]).

Regarding **claim 5**, Boivin discloses the method as claimed in claim 3, wherein the message further comprises data relating to the location of the mobile station (see pg. 2, [0019-0020]).

Regarding **claim 10**, Boivin discloses the method as claimed in claim 1, wherein the message is received from a visitor location register (see pg. 3, [0030]; pg. 2, [0017-0020]; Figs. 1-2), where the system updates the routing information for incoming and outgoing communication.

Regarding **claim 11**, Boivin discloses the method as claimed in claim 1, wherein the register comprises a service routing register (e.g., service control point 118) (see pg. 3, [0030]; pg. 2, [0019-0020]; Figs. 1-2).

Regarding **claim 12**, Boivin discloses the method as claimed in claim 1, wherein the inactive subscriber register comprises a provisioning home location register (e.g., server 218) (see pg. 3, [0030]; pg. 2, [0019-0020]; Figs. 1-2).

Regarding **claim 13**, Boivin discloses a method as claimed in claim 1, wherein the active subscriber register comprises a home location register (see pg. 2, [0017-0019]; Figs. 1-2).

Regarding **claims 15 and 28**, Boivin discloses the method as claimed in claim 1, wherein the inactive subscriber register also functions as one of: a voicemail system entity; a mail server entity; a multimedia messaging server entity; a wireless application part gateway entity; a prepaid server entity (e.g., prepaid server platform (PSP) 202); an intelligent network server; a short message service centre; location based service centre; a USSD-centre; a GPRS-server; a charging server; and rating server (see Fig. 2).

Regarding **claims 23 and 41**, Boivin discloses a method (see Fig. 2), the method comprising:

storing subscriber data for inactive subscribers of a communication network (see pg. 2, [0017-0020]; pg. 3, [0025-0026]; Figs. 2-3)

receiving at said inactive subscriber register a message identifying an inactive subscriber to be activated (see pg. 3, [0026]; Figs. 2-3), where the system is informed of a previously used telephone number;

provisioning an active subscriber register of the communication network with subscriber data associated with the inactive subscriber to be activated based on the received message

(see pg. 3, [0030]; pg. 2, [0019-0020]), where the system updates the routing information for incoming and outgoing communication.

Regarding **claims 29 and 33-34**, the claim as applied to claim 20 are rejected for the same reasons as set forth above in **claims 4 and 12-13** respectively.

Regarding **claims 35-36**, the claims as applied to claim 23 are rejected for the same reasons as set forth above in **claims 2 and 4** respectively.

Regarding **claims 39-40**, the claims as applied to claim 23 are rejected for the same reasons as set forth above in **claims 12 and 28** respectively.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8, 26-27, 30-31, and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boivin (US 2003/0092436 A1)** in view of **Kowarsch (US 2004/0132449 A1)**.

Regarding **claim 6**, Boivin discloses every limitation claimed as applied above in claim 3. Boivin does not specifically disclose having the feature(s) receiving from the inactive subscriber register data for providing the subscriber with a preliminary service. However, the examiner maintains that the feature(s) receiving from the inactive subscriber

register data for providing the subscriber with a preliminary service was well known in the art, as taught by Kowarsch.

In the same field of endeavor, Kowarsch discloses the feature(s) receiving from the inactive subscriber register data for providing the subscriber with a preliminary service (see pg. 7, [0134]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boivin and Kowarsch to have the feature(s) receiving from the inactive subscriber register data for providing the subscriber with a preliminary service, in order to permit a mobile station from a home network to operate in a visited network, as taught by Kowarsch (see pg. 3, [0019]).

Regarding **claim 7**, Boivin discloses every limitation claimed as applied above in claim 6. Boivin inexplicitly discloses having the feature(s) wherein said data receiving from the inactive subscriber register further comprises authentication information. However, the examiner maintains that the feature(s) wherein said data receiving from the inactive subscriber register further comprises authentication information was well known in the art, as taught by Kowarsch.

In the same field of endeavor, Kowarsch discloses the feature(s) wherein said data receiving from the inactive subscriber register further comprises authentication information (see pg. 8, [0139, 0152]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boivin and Kowarsch to have the feature(s) wherein said data receiving from the inactive subscriber register further comprises

authentication information, in order to permit a mobile station from a home network to operate in a visited network, as taught by Kowarsch (see pg. 3, [0019]).

Regarding **claim 8**, Boivin discloses every limitation claimed as applied above in claim 6. Boivin inexplicitly discloses having the feature(s) wherein said preliminary service comprises notifying the subscriber that a service request has been acknowledged. However, the examiner maintains that the feature(s) wherein said preliminary service comprises notifying the subscriber that a service request has been acknowledged was well known in the art, as taught by Kowarsch.

In the same field of endeavor, Kowarsch discloses the feature(s) wherein said preliminary service comprises notifying the subscriber that a service request has been acknowledged (see pg. 8, [0139, 0152]), where system provides communication for the MS (11) in which a notification message would be inherent since the user is able to utilize the system for communication.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boivin and Kowarsch to have the feature(s) wherein said preliminary service comprises notifying the subscriber that a service request has been acknowledged, in order to permit a mobile station from a home network to operate in a visited network, as taught by Kowarsch (see pg. 3, [0019]).

Regarding **claims 26-27**, the claims as applied to claim 20 are rejected for the same reasons as set forth above in **claims 6-7** respectively.

Regarding **claims 30-31**, the claims as applied to claim 20 are rejected for the same reasons as set forth above in **claims 6-7** respectively.

Regarding **claims 37-38**, the claims as applied to claim 23 are rejected for the same reasons as set forth above in **claims 6-7** respectively.

Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boivin (US 2003/0092436 A1)** in view of **Coad et al. (hereinafter Coad) (US 2003/0190913 A1)**.

Regarding **claim 17**, Boivin discloses a method as claimed in claim 1, comprising:
determining in said active subscriber register that the subscriber has again become inactive (see pg. 3, [0026]; Fig. 2), where the system is informed of a previously used telephone number;

storing subscriber data relating to the subscriber at the inactive subscriber register (see pg. 2, [0019-0020]; pg. 3, [0025-0026]; Fig. 2), where the call is communicated via the MSC (208) to the PSP (202);

updating the information stored at said routing register to specify said subscriber as inactive such that the routing register routes subsequent signaling associated with the subscriber to the inactive subscriber register (see pg. 3, [0028, 0030]; pg. 2, [0019-0020]; Figs. 2-3). Boivin does not specifically disclose having the feature(s) deleting subscriber data relating to the subscriber from the active subscriber register. However, the examiner maintains that the feature(s) deleting subscriber data relating to the subscriber from the active subscriber register was well known in the art, as taught by Coad.

In the same field of endeavor, Coad discloses the feature(s) deleting subscriber data relating to the subscriber from the active subscriber register (see pg. 2, [0036-0037]). As further support, Coad at the least further discloses determining in said active subscriber

register that the subscriber has again become inactive (see pg. 1, [0026, 0009]); storing subscriber data relating to the subscriber at the inactive subscriber register (see pg. 1, [0028]); updating the information stored at said routing register to specify said subscriber as inactive such that the routing register routes subsequent signaling associated with the subscriber to the inactive subscriber register (see pg. 1, [0027-0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boivin and Coad to have the feature(s) deleting subscriber data relating to the subscriber from the active subscriber register, in order to allow a user to use a mobile phone in a visited network, as taught by Coad (see pg. 1, [0005]).

Regarding **claim 18**, Boivin discloses every limitation claimed as applied above in claim 17. Boivin does not specifically disclose having the feature(s) determining that said a subscriber has become inactive if the time lapsed since a last message, associated with the subscriber, was routed exceeds a predetermined time. However, the examiner maintains that the feature(s) determining that said a subscriber has become inactive if the time lapsed since a last message, associated with the subscriber, was routed exceeds a predetermined time was well known in the art, as taught by Coad.

Coad further discloses determining that said a subscriber has become inactive if the time lapsed since a last message, associated with the subscriber, was routed exceeds a predetermined time (see pg. 2, [0035-0037]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boivin and Coad to have the feature(s)

determining that said a subscriber has become inactive if the time lapsed since a last message, associated with the subscriber, was routed exceeds a predetermined time, in order to allow a user to use a mobile phone in a visited network, as taught by Coad (see pg. 1, [0005]).

Response to Arguments

6. Applicant's arguments with respect to claims 1-8, 10-13, 15, and 17-41 have been considered but are moot in view of the new ground(s) of rejection necessitated by the amended language, new limitations, and/or new claims.

In response to applicant's arguments, the Examiner respectfully disagrees as the applied reference(s) provide more than adequate support and to further clarify (see the above claims for relevant citations and comments in this section).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to

Art Unit: 2617

37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W. J. D., Jr./

WJD,Jr
13 October 2008

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617